

**THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT COURT OF DELAWARE**

THERESA CROTHER,	:	Civil Action No. 04-913 ***
	:	
GEORGE GREEN,	:	TRIAL BY JURY OF
	:	TWELVE DEMANDED
GREGORY PARISE,	:	
	:	
MICHAEL WHETSTONE,	:	
	:	
v.	:	
TOWN OF DEWEY BEACH,	:	
	:	
SAMUEL MACKERT,	:	
Acting Chief	:	
Dewey Beach Police Department	:	
	:	
PATROLMAN ZACHARY PETTYJOHN,	:	
Dewey Beach Police Department	:	
	:	
PATROLMAN JOHN WHEATLEY,	:	
Dewey Beach Police Department	:	

FOURTH AMENDED SCHEDULING ORDER

At Wilmington this ____ day of _____, 2007,

IT IS HEREBY ORDERED that the Court's prior Scheduling Orders are amended as follows:

1. Discovery

a. Discovery Cut-Off. All discovery in this case shall be initiated so that it will be completed on or before April 11, 2007. The Court encourages the parties to serve and respond to contention interrogatories early in the case. Unless otherwise ordered by the Court, the limitations on discovery set forth in Local Rule 26.1 shall be strictly observed.

b. Disclosure of Expert Testimony. Plaintiffs shall file their initial Federal Rule of Civil Procedure 26(a)(2) disclosures of expert testimony on or before May 9, 2007. Defendants shall file their initial Federal Rule of Civil Procedure 26 (a) (2) disclosures of expert testimony

on or before June 15, 2007. To the extent any objection to expert testimony is made pursuant to the principles announced in Daubert v. Merrell Dow Pharm., Inc., 509 U.S. 579 (1993), it shall be made by motion no later than the deadline for dispositive motions set forth herein, unless otherwise ordered by the Court.

2. Case Dispositive Motions. All case dispositive motions, an opening brief, and affidavits, if any, in support of the motion shall be served and filed on or before July 13, 2007. Briefing will be presented pursuant to the Court's Local Rules.

3. Pre-Trial Conference. On _____, 2007, the Court will hold a final Pre-Trial Conference in Chambers with counsel beginning at _____. Unless otherwise ordered by the Court, the parties should assume that filing the Pre-Trial Order satisfies the pre-trial disclosure requirement of Federal Rule of Civil Procedure 26(a)(3). The parties shall file with the Court a joint proposed final pre-trial order with the information required by the form of Pre-Trial Order which accompanied the Court's original Scheduling Order dated November 8, 2004 (D. I. 15) on or before _____, 2007.

4. Trial. This matter is scheduled for a three (3) day Jury trial beginning at 9:30 a.m. on _____ through _____, 200_. For the purpose of completing pre-trial preparations, counsel should plan on each side being allocated a total of eight (8) hours to present their case.

UNITED STATES MAGISTRATE JUDGE